

Shw 3624
40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rehan M. Khan et al.
Title: System and Method for Presenting Music to Consumers
Application No.: 09/695,526 Filing Date: October 24, 2000
Examiner: Kazimi, Hani M. Group Art Unit: 3624
Docket No.: MOOD.009US0 Conf. No.: 3418

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2005

Mary E. Buggie
Mary E. Buggie

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants call the documents listed on the enclosed Form PTO-1449 to the Examiner's attention in this patent application.

According to 37 C.F.R. 1.98(2)(ii), copies of the U.S. Patents and U.S. Published Patent Applications documents are not required and are therefore not enclosed. Copies of the listed foreign patent documents and Other Art are enclosed.

08/08/2005 CNGUYEN2 00000048 09695526
01 FC:1806

180.00 OP

Citation of these documents shall not be construed as (1) an admission that the documents are prior art with respect to the invention or inventions claimed in this application, (2) a

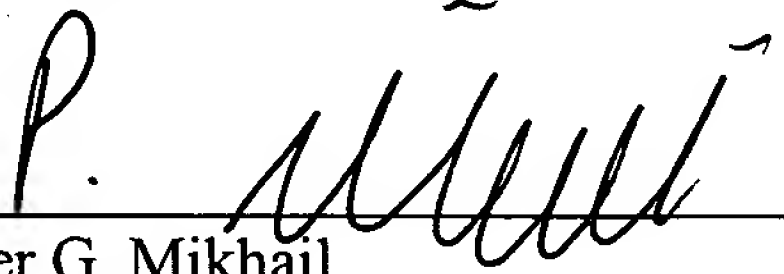
Attorney Docket No.: MOOD.009US0

Application No.: 09/695,526

representation that a search has been made (other than as indicated by any cited document), or
(3) an admission that the cited information is, or is considered to be, material to patentability as
defined in § 1.56(b).

This information disclosure statement is submitted under 37 C.F.R. § 1.97(c). A check
including \$180.00 for the information disclosure statement fee under 37 C.F.R. § 1.17(p), is
enclosed. The Commissioner is authorized, however, to charge any fee that may be required, or
to credit any overpayment, against Deposit Account No. 502664. This document is being
submitted in duplicate.

Respectfully submitted,



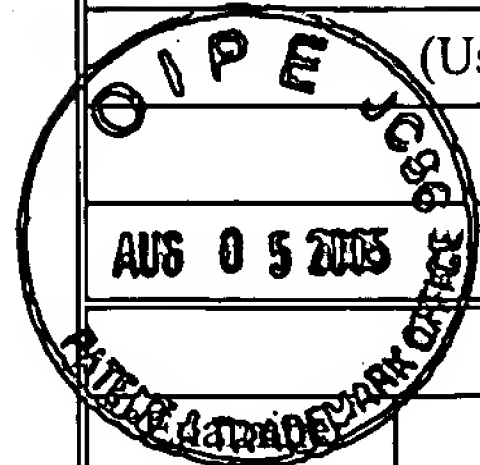
Peter G. Mikhail
Reg. No. 46,930

August 3, 2005

Date

PARSONS HSUE & DE RUNTZ LLP
655 Montgomery Street, Suite 1800
San Francisco, CA 94111
(415) 318-1160 (main)
(415) 318-1168 (direct)
(415) 693-0194 (fax)

U.S. Department of Commerce, Patent and Trademark	Atty. Docket No.	Application No.
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	MOOD.009US0	09/695,526
	Applicants	Conf. No.
(Use several sheets if necessary)	Rehan M. Khan et al.	3418
(Form PTO-1449)	Filing Date	Art Group
	October 24, 2000	3624



U.S. Patent Documents

Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	1	5,862,260	1/19/99	Rhoads			
	2	5,987,525	11/16/99	Roberts et al.			
	3	5,918,223	6/29/99	Blum et al.			
	4	6,061,680	5/9/00	Scherf et al.			
	5	6,154,773	11/28/00	Roberts et al.			
	6	6,161,132	12/12/00	Roberts et al.			
	7	6,230,192	5/8/01	Roberts et al.			
	8	6,230,207	5/8/01	Roberts et al.			
	9	6,240,459	5/29/01	Roberts et al.			
	10	6,304,523	10/16/01	Jones et al.			
	11	6,330,593	12/11/01	Roberts et al.			
	12	6,505,160	1/7/03	Levy et al.			
	13	6,829,368	12/7/04	Meyer et al.			

U.S. Published Patent Application Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	14	2003/0028796A1	2/6/03	Roberts et al.			
	15	2003/0046283A1	3/6/03	Roberts			

Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	16	WO02/065782A1	8/22/02	WIPO			X	
	17	WO2003/096337A2A3	11/20/03	WIPO			X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	18	U.S. District Court, Northern District of California, "Order Addressing Parties' Cross Motions for Summary Judgment Re: Patent Infringement", Gracenote, Inc. v. MusicMatch, Inc., No. C 02-3162 CW, 8/26/04, 25 pages.
--	----	---

Examiner

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

U.S. Department of Commerce, Patent and Trademark				Atty. Docket No.		Application No.		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				MOOD.009US0		09/695,526		
				Applicants		Conf. No.		
(Use several sheets if necessary)				Rehan M. Khan et al.		3418		
(Form PTO-1449)				Filing Date		Art Group		
AUG 05 2005				October 24, 2000		3624		
U.S. Patent Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
U.S. Published Patent Application Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
	19	2003/0086341A1	5/8/03	Wells et al.				
	20	2003/0135513A1	7/17/03	Quinn et al.				
	21	2004/0074378A1	4/22/04	Allamanche et al.				
	22	2004/0143349A1	7/22/04	Roberts et al.				
	23	2004/0172411A1	9/2/04	Herre et al.				
	24	2004/0267522A1	12/30/04	Allamanche et al.				
	25	2005/0017879A1	1/27/05	Linzmeier et al.				
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	26	WO2004/044820A1	5/27/04	WIPO			X	
	27	WO01/20483A2A3	3/22/01	WIPO			X	
	28	WO01/37465A2A3	5/25/01	WIPO			X	
	29	WO02/065782A1	8/22/02	WIPO			X	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
	30	U.S. District Court, Northern District of California, "First Amended Complaint for 1. Breach of Contract, 2. Unfair Competition, 3. Trademark Infringement, 4. Intentional Interference With Prospective Economic Advantage, 5. Negligent Interference With Prospective Economic Advantage, 6. Patent Infringement, Demand for Jury Trial", Gracenote, Inc. v. MusicMatch, Inc., No. C 02-3162 CW, 8/21/02, 33 pages.						
	31	U.S. District Court, Northern District of California, "Stipulation and [Proposed] Order RE Dismissal of Adaptec, Inc.", CDDb, Inc. dba Gracenote v. Adaptec, Inc., and Roxio, Inc., No. C-01 20428 JW, 12/31/01, 3 pages.						
	32	U.S. District Court, Northern District of California, "Stipulation and [Proposed] Order re Dismissal of Roxio, Inc. and Gracenote", CDDb, Inc. dba Gracenote v. Adaptec, Inc., and Roxio, Inc., No. C-01 20428 JW, 12/31/01, 5 pages.						
Examiner			Date Considered					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.								

U.S. Department of Commerce, Patent and Trademark		Atty. Docket No.		Application No.				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		MOOD.009US0		09/695,526				
		Applicants		Conf. No.				
(Use several sheets if necessary)		Rehan M. Khan et al.		3418				
(Form PTO-1449)		Filing Date		Art Group				
		October 24, 2000		3624				
U.S. Patent Documents								
Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
U.S. Published Patent Application Documents								
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate	
Foreign Patent Documents								
							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	33	WO02/077966A2A3	10/3/02	WIPO			X	
	34	WO02/093823A1	11/21/02	WIPO			X	
	35	WO03/067466A2A3	8/14/03	WIPO			X	
	36	WO2004/077430A1	9/10/04	WIPO			X	
	37	WO2004/081817A1	9/23/04	WIPO			X	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)								
Examiner			Date Considered					
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.</p>								